

REMARKS

Claims 1-17 and 21-36 have been examined. Claims 1 and 16 have been amended. Claims 18-20 and 37-40 have been canceled, without prejudice, pursuant to a restriction requirement. Applicants gratefully acknowledge the allowance of claims 21-36 and the indicated allowability of claims 3, 5, 6, 8, 9, 11-15 and 17. Claim 41 has been added to rewrite claim 3 in independent form, claim 42 has been added to rewrite claim 9 in independent form, and claim 43 has been added to rewrite claim 17 in independent form. Reconsideration of the claims, as amended, is respectfully requested.

Election/Restriction

Claims 18-20 and 37-40 have been canceled, without prejudice, pursuant to a restriction requirement. These claims will be pursued in a divisional application.

Claim Rejections – 35 USC 102

Claims 1, 2, 4, 7, 10 and 16 have been rejected under 35 USC 102(b) as being anticipated by Mendes. This rejection is respectfully traversed in part and overcome in part.

As currently amended, claim 1 claims a delivery system that comprises a frame, and a plurality of hoppers that are attachable to the frame in a vertically spaced apart arrangement. The hoppers are each configured to hold a plurality of sheet-like materials in a generally vertical orientation. At least one upper belt is movably coupled to the frame and is configured to move the sheet-like materials downward from the hoppers. At least one suction apparatus is associated with each hopper, and a moving system is configured to move the suction apparatus to grasp and remove one of the sheet-like materials from the hopper and into contact with the upper belt. Further, the suction apparatus is configured to grasp and remove the sheet-like material from the hopper while maintaining the sheet-like material generally vertically oriented until the sheet-like material comes into contact with the upper belt.

In contrast to the delivery system of claim 1, the Mendes patent describes a sheet collator which is far different. More specifically, the collator of the Mendes patent utilizes shelves 50 that hold piles of sheets 52 in a horizontal orientation (see Fig. 10). These sheets are moved horizontally until they reach belt 60 where they are moved vertically downward.

With the delivery system of claim 1 as now amended, the sheet like materials are held in a generally vertical orientation and are grasped by the suction apparatus and moved to the upper belt while maintained in a generally vertical orientation. Because the Mendez patent fails to describe such features, claim 1 is distinguishable and it is respectfully requested that the section 102 rejection of independent claim 1 and dependent claims 2, 4, 7 and 10 be withdrawn.

Independent claim 16 claims a delivery system and has been amended in a similar manner to claim 1. Hence, claim 16 is distinguishable for at least the same reasons, and it is respectfully requested that the rejection of claim 16 be withdrawn.

Added claims

Claims 41-43 have been added and should also be in condition for allowance. More specifically, claim 41 has been added to rewrite claim 3 in independent form, claim 42 has been added to rewrite claim 9 in independent form, and claim 43 has been added to rewrite claim 17 in independent form. Since these claims were indicated to be allowable, claims 41-43 are now in condition for allowance.

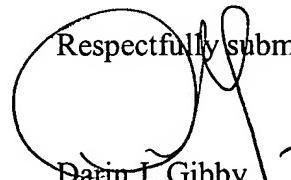
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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